

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
Civil Action No. 1:13-cv-897**

**JAMES DILLON,  
on Behalf of Himself and All Others  
Similarly Situated,**

**Plaintiff,**

**v.**

**BMO HARRIS BANK, N.A., FOUR  
OAKS BANK & TRUST CO., a North  
Carolina Chartered Bank,  
GENERATIONS FEDERAL CREDIT  
UNION, and BAY CITIES BANK, a  
Florida State-Chartered Bank,**

**Defendants.**

**JOINT MOTION TO SET STIPULATED BRIEFING SCHEDULE FOR  
ARBITRATION MOTIONS AND FOR LEAVE TO EXCEED PAGE LIMITS**

Pursuant to Local Rule 7.3, Plaintiff James Dillon and Defendants BMO Harris Bank, N.A., Bay Cities Bank, and Generations Federal Credit Union jointly request a stipulated schedule and leave to submit additional pages for the briefing on Defendants' requests for arbitration. In support of this motion, the parties state:

1. On May 29, 2015, the United States Court of Appeals for the Fourth Circuit vacated this Court's July 7, 2014 Order (Dkt. No. 128) denying Defendants' requests for arbitration and remanded the case back to this Court for further proceedings.

2. In an effort to streamline the proceedings on remand, the parties have agreed upon the following proposed schedule:

- Defendants will file renewed arbitration motions by July 15, 2015;
- Plaintiff will file oppositions to the renewed motions by August 14, 2015; and
- Defendants will file reply briefs in support of their renewed motions by September 4, 2015.

3. These stipulated proposed dates are without prejudice to any party seeking leave to take arbitration-related discovery and any extension of the briefing necessitated by the time necessary to conduct the discovery. These stipulated proposed dates are also without prejudice to a request by Plaintiff for an extension in order to permit the filing of a motion to file an amended complaint.

4. In light of the numerous relevant decisions that have been entered since the earlier arbitration briefing in this case, the parties also jointly request leave to submit extra pages for the briefing on the renewed arbitration motions:

- Defendants will each have up to 30 pages, rather than 20, for their opening briefs;
- Plaintiff will have up to 30 pages, rather than 20, for each of his briefs in opposition; and
- Defendants will each have up to 15 pages, rather than 10, for their reply briefs.

WHEREFORE, for the above-stated reasons, the parties respectfully request that this Court grant their motion for a stipulated briefing schedule and for leave to exceed page limits.

Dated: June 24, 2015

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**CERTIFICATE OF SERVICE**

I certify that on this 24th Day of June, 2015, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send notification of the filing to the attorneys on that system.

By: /s/ Mary K. Mandeville  
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